REMARKS

Applicants respectfully request further examination and reconsideration in view of the above amendments and the arguments set forth fully below. Claims 1-47 were previously pending in this application. Within the Office Action Claims 1-47 have been rejected. By the above amendment, Claims 12 and 44-47 have been amended. In addition, new Independent Claim 48 has been added. Claims 1-48 are therefore now pending in this application.

Rejections Under 35 U.S.C. § 112

Within the Office Action, Claims 12 and 44-47 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, it is stated within the Office Action that it is unclear whether the "notification" or "audio communication" specifies the address recited in Claims 12 and 44-47. By the above amendment, the Applicant has amended Claims 12 and 44-47, such that the claims recite that the notification specifies the address. For at least these reasons, Applicant submits that Claims 12 and 44-47 do particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Rejections Under 35 U.S.C. § 102

Within the Office Action, Claims 1-7, 9-11, 13-19 and 21-43 have been rejected under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 5,675,507 to Charles R. Bobo, II (hereinafter "Bobo"). The Applicant respectfully disagrees with this rejection. Bobo teaches a message storage and delivery system which receives facsimile messages, voice messages and data messages. (Bobo, Abstract). Bobo teaches that the system is connected to the Internet and notifies users with an e-mail message each time a message is received. (Bobo, Abstract). After receiving this notification, the users can then connect to the system through the Internet and have the messages downloaded to their computers or preview the messages. (Bobo, Abstract). Bobo

teaches that to obtain a message such as a facsimile message, the user logs into his or her mailbox in the system and selects an anchor from a facsimile list provided by the system. (Bobo, col. 8, lines 11-17). In response to this selection, the system then displays a file containing the list of facsimiles. (Bobo, col. 8, lines 15-20). When the user selects a message on the list, the system of Bobo causes the selected message to be downloaded via the Internet to the user's computer. (Bobo, col. 8, lines 60-63). Bobo also teaches that the messages are collectively accessed through the anchor for the message list. Bobo does not teach that the messages are each stored and accessed at an independently accessible address. Further, Bobo does not teach that the messages are separately accessible using an independently accessible address.

Bobo also teaches that when a new message is received, the user's mailbox is updated to display the total number and types of messages. (Bobo, col. 8, lines 21-23). Additionally, Bobo teaches that the system will send an e-mail notification to the user's computer to inform the user of the newly arrived message. (Bobo, col. 8, lines 23-27). Bobo does not teach that the new message itself will be included within the e-mail notification. Accordingly, in response to the e-mail notification of Bobo, the user will have to log into their mailbox on the Internet to access the message. Further, Bobo teaches that a first person leaves a message for the user and the e-mail notification is sent to the user. Bobo does not teach that the e-mail notification is sent to the recording user responsible for leaving the message. **Bobo does not teach that any notification is sent to the recording user responsible for leaving the message.**

In contrast to the teachings of Bobo, the present invention includes an apparatus and method for recording an audio file which allows a user to establish a telephone connection with a call processing and recording system to record an audio file. Once recorded, the user then has the ability to playback, edit and re-record the audio file until the user is satisfied with the audio file. Once the user is satisfied with the recorded audio file, a title or text description to be associated with the recorded audio file and the recorded audio file are stored at the call processing and recording system. When the quality and content of the recorded audio file is acceptable, then the recorded audio file with accompanying title and user information is transmitted from the call

processing and recording system to an internet server. When the internet server receives the recorded audio file with accompanying user information and associated title or text description, this data is then stored in a recording database at the internet server. The recorded audio file of the present invention is also associated with a profile of the recording user which is accessible by the user over the internet. A notification is also preferably sent to the *recording user* notifying the recording user of the address at which the recorded audio file can be accessed. Preferably, this notification is by email. The address at which the recorded audio file can be accessed is an independently accessible address on the internet.

The recorded audio file of the present invention is separately accessible using the independently accessible address. Since the audio file is accessed through the independently accessible address, others can also access the recorded audio file on the internet server by entering the separately accessible address or selecting a hyperlink pointing to this address. Once any person accesses the recorded audio file, the audio data within the file is transmitted to the accessing computer system for playback at that accessing computer system. This allows many people to access the audio file.

As discussed above, Bobo does not teach that the messages are each stored and accessed at an independently accessible address. In addition, Bobo does not teach that the messages are separately accessible using an independently accessible address. Rather, Bobo teaches that the user accesses the Universal Resource Locator (URL) associated with his or her message and storage delivery system (MSDS) 10 mailbox. (Bobo, col. 7, lines 25-28). Within the system taught by Bobo, a Hypertext Transfer Protocol Daemon (HTTPD) within the MSDS 10 receives the URL request and then requests user authentication. (Bobo, col. 7, lines 29-32). The user then supplies his or her ID and password and, if found valid, the MSDS 10 provides the computer 32 with access to the mailbox. (Bobo, col. 7, lines 34-36). Once access is granted, the user is provided with information indicating the total number of messages stored in his or her mailbox within the MSDS. (Bobo, col. 7, lines 61-64). Thus, the URL in Bobo is used to grant the user access to his or her mailbox. However, Bobo does not associate the URL with any of the

individual messages. This distinction highlights the advantages of the present invention over a system such as taught by Bobo. To access a message, the user in Bobo must first log into his or her mailbox. In contrast, the independently accessible address of the present invention is such that anyone can review the message by separately accessing the independently accessible address. For at least these reasons, Bobo does not teach that the recorded audio file is separately accessible using the independently accessible address.

Because of the independently accessible address through which the audio file is accessed, the user can then provide this address to others allowing them to access the recorded audio file on the internet server by entering this address or selecting a hyperlink pointing to this address. This allows many people to access the audio file, rather than the one user to whom the message was directed as within the system of Bobo. For other individuals to access a message within the system of Bobo, they would have to first log into the mailbox of the user to whom that message was directed. This is not a very practical solution, as Bobo teaches that to log into a user's mailbox, you must enter an ID and a password. Within the system of the present invention, when a recorded audio file is accessed by any user from the independently accessible address, the audio data within the recorded audio file is transmitted from the internet server to the accessing computer system for playback at that accessing computer system.

Within the Office Action, it is stated that the phrase "independently accessible address" is extremely broad and covers the Uniform Resource Locator (URL) address of Bobo. As discussed above, Bobo does not teach that recorded audio files are separately accessible using the independently accessible address. Also, the URL in Bobo is used to grant the user access to **his or her mailbox as opposed to an individual message**. Thus, Bobo does not associate the URL with any individual messages. In addition, Bobo teaches that to obtain a message such as a facsimile message, the user selects an anchor for a facsimile list. In response to this selection, the system of Bobo then displays a file containing the list of facsimiles. Bobo does not teach that the facsimile messages are accessible other than through this facsimile list. Accordingly, Bobo does not teach that the messages are separately and independently accessible.

The independent Claim 1 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 1 includes the steps of establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and associating an independently accessible address with the recorded audio file, such that when the address is accessed using the computer system, the recorded audio file is transmitted to the computer system for playback. The method of Claim 1 further includes the limitation that the recorded audio file is separately accessible using the independently accessible address. As discussed above, Bobo does not teach that an independently accessible address is associated with the recorded audio file. In addition, Bobo does not teach that the recorded audio file is separately accessible using the independently accessible address. For at least these reasons, the independent Claim 1 is allowable over the teachings of Bobo.

Claims 2-7, 9-11 and 13-16 are all dependent upon the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Bobo. Accordingly, the Claims 2-7, 9-11 and 13-16 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 17 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 17 includes the steps of establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and including the recorded audio file within a second file, such that when the second file is accessed using the computer system, the recorded audio file is available for playback at the computer system. Bobo does not teach that a recorded audio file is included **within** a second file, such that when the second file is accessed using the computer system, the recorded audio file is available for playback at the computer system. For at least these reasons, the independent Claim 17 is allowable over the teachings of Bobo.

Claims 18, 19 and 21 are all dependent upon the independent Claim 17. As discussed above, the independent Claim 17 is allowable over the teachings of Bobo. Accordingly, the Claims 18, 19 and 21 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 22 is directed to a record and playback system for recording an audio file for later playback. The record and playback system of Claim 22 includes a means for establishing a telephony connection with a telephony device, means for recording coupled to the means for establishing a telephony connection for recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and means for storing coupled to the means for recording for storing the recorded audio file at an independently accessible address, such that when the address is accessed by a computer system, the recorded audio file is transmitted to the computer system for playback. The record and playback system of Claim 22 includes the further limitation that the recorded audio file is separately accessible using the independently accessible address. As discussed above, Bobo does not teach that an independently accessible address is associated with the recorded audio file. In addition, Bobo does not teach that the recorded audio file is separately accessible using the independently accessible address. For at least these reasons, the independent Claim 22 is allowable over the teachings of Bobo.

Claims 23-29 are all dependent upon the independent Claim 22. As discussed above, the independent Claim 22 is allowable over the teachings of Bobo. Accordingly, the Claims 23-29 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 30 is directed to a record and playback system for recording an audio file for later playback. The system of Claim 30 includes an interface circuit configured to establish a telephony connection with a telephony device, a call recording system coupled to the interface circuit to record an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and a storage system coupled to the call recording system to store the recorded audio file at an independently accessible address within the storage system, such that when the address is accessed by a computer system, the recorded audio file is

transmitted to the computer system for playback. The record and playback system of Claim 30 includes the further limitation that the recorded audio file is separately accessible using the independently accessible address. As discussed above, Bobo does not teach that an independently accessible address is associated with the recorded audio file. In addition, Bobo does not teach that the recorded audio file is separately accessible using the independently accessible address. For at least these reasons, the independent Claim 30 is allowable over the teachings of Bobo.

Claims 31-36 are all dependent upon the independent Claim 30. As discussed above, the independent Claim 30 is allowable over the teachings of Bobo. Accordingly, the Claims 31-36 are all also allowable as being dependent upon an allowable base claim.

The independent Claim 37 is directed to a network of devices for recording and playback of an audio file. The network of Claim 37 includes a call processing and recording system coupled to a telephone network to establish a telephony connection with a telephony device and record an audio communication transmitted over the telephony connection thereby establishing a recorded audio file, a server coupled to the call processing and recording system to store the recorded audio file at an independently accessible address, wherein the recorded audio file is separately accessible using the independently accessible address and one or more computer systems coupled to the server such that when the address is accessed by one of the computer systems, the recorded audio file is transmitted to an accessing computer system for playback. As discussed above, Bobo does not teach that a recorded audio file is stored at an independently accessible address. In addition, Bobo does not teach that the recorded audio file is separately accessible using the independently accessible address. For at least these reasons, the independent Claim 37 is allowable over the teachings of Bobo.

Claims 38-43 are all dependent upon the independent Claim 37. As discussed above, the independent Claim 37 is allowable over the teachings of Bobo. Accordingly, the Claims 38-43 are all also allowable as being dependent upon an allowable base claim.

Within the Office Action, Claims 1, 8, 17, 20, 22, 30 and 37 have been rejected under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent No. 5,915,001 to Premkumar Uppaluru (hereinafter "Uppaluru"). The Applicant respectfully disagrees with this rejection. Uppaluru discloses a voice web system that is used to provide voice web services to a subscriber, whereby the voice web system is a service that provides on-line telephone based access to information. (Uppaluru, col. 9, lines 38-40). The information is presented to the user through the publication of voice web pages. (Uppaluru, col. 9, lines 41-49). Specifically, Uppaluru discloses that the system provides universally accessible caller-specific profiles that are accessed by one or more interactive voice response (IVR) systems. (Uppaluru, col. 2, lines 26-32). The system taught by Uppaluru includes voice web pages that are accessible to users via voice commands and touch-tone inputs. This collection of voice web pages is considered the "voice web" which contains a specially tagged set of key words and touch tone sequences that are associated with the embedded anchors and links used for navigation within the voice web. (Uppaluru, col. 2, lines 38-41). Thus, the system enables subscribers to access the voice web pages via their telephones, whereby the key words and touch tone sequences provided by the user are used to access links in the voice web pages and navigate through the voice web system. (Uppaluru, col. 5, lines 1-2). However, Uppaluru does not disclose recording an audio communication thereby establishing a recorded audio file for playback over a computer system nor associating an independently accessible address with the recorded audio file, wherein the recorded audio file is separately accessible using the independently accessible address.

In contrast to the teachings of Uppaluru, the present invention includes an apparatus and method for recording an audio file for playback over a computer system and associating an independently accessible address with the recorded audio file, wherein the recorded audio file is separately accessible using the independently accessible address. The present invention allows a user to establish a telephone connection with a call processing and recording system to record an audio file. Once the user is satisfied with the recorded audio file, the recorded audio file is stored at the call processing and recording system and transmitted to an internet server. When the

internet server receives the recorded audio file with accompanying user information and associated title or text description, this data is then stored in a recording database at the internet server. The recorded message is accessible to anyone who has access to a computer system and knows the address associated with the recorded audio file. Thus, anyone who has the independently accessible address to where the recorded audio file is located can listen to the recorded audio file. Once the address is accessed using the user's computer system, the recorded audio file is transmitted to that computer system for playback. Thus, a user can type in the address or access a hyper link provided in a file, such as an email file, to hear the recorded audio file played back to him or her.

The present invention is distinguishable from Uppaluru, because Uppaluru teaches that the voice web pages that are accessed and navigated by the user are not recorded audio files, but documents. For instance, the *American Heritage Dictionary of the English Language* defines a "web page" as a document on the world wide web consisting of a HTML file and any related files for scripts and graphics, and often hyperlinked to other documents on the web." (American Heritage Dictionary of the English Language, 4th Ed.). Uppaluru discloses that a voice web page is a web page that uses a navigable markup language called HyperVoice Markup Language (HVML) that facilitates publication, navigation and access of information **stored in documents** specified in the navigable markup language. (Uppaluru, col. 5, lines 5-8). In addition, Uppaluru teaches that the HVML markup language uses tags that are anchors and links, such that when a link and tag is invoked, the user is presented **another navigable markup language document** in accordance with the link and tag. (Uppaluru, col. 5, lines 26-30). Thus, Uppaluru teaches that the voice web pages and information in the voice web pages are documents, rather than recorded audio files.

In addition, the present invention is distinguishable over Uppaluru because the system in Uppaluru includes a voice web browser 102 that hosts voice web pages and interprets the embedded HVML markup language in the retrieved voice web pages to deliver the content of the voice web page to the user. Moreover, Uppaluru teaches that the system includes a voice web

server 102 that accesses the stored voice web pages. However, the present invention does not utilize a special voice browser nor a voice web server to access the recorded audio files, because the recorded audio files are established by an audio communication that is recorded and stored in an internet server. Also, a regular browser in the present invention would suffice in the playback of the recorded audio file when the independently accessible address is accessed by the user. If Uppaluru did indeed teach the present invention, the system in Uppaluru would not need to utilize the voice web server and voice web browser. Thus, the present invention is distinguishable over Uppaluru.

It is also stated within the Office Action that Uppaluru teaches "associating an independently accessible address with the recorded audio file, such that when the address is accessed using the computer system, the recorded audio file is transmitted to the computer system for playback, wherein the recorded audio file is separately accessible using the independently accessible address." Specifically, it is stated within the Office Action that the recorded audio file of the present invention is accessible via the WWW at virtually any location in the world. The Applicant respectfully disagrees. Uppaluru teaches that the HVML extended web browser enables the subscribers to navigate and access the voice web pages. In addition, Uppaluru teaches that each voice web page has a unique URL, which identifies each voice web page. (Uppaluru, col. 7. lines 40-63). Thus, a user accessing the voice web page in Uppaluru navigates through the voice web page by providing a voice or touch tone input, whereby the system receives the input and invokes a hyperlink which takes the user to another voice web page or document. However, Uppaluru does not teach that the user is provided the address in which the user can access the linked voice web page by accessing the independently accessible address. Thus, there is no teaching in Uppaluru that the voice web page is separately accessible using an independently accessible address, since the user is not provided the address. In other words, a user wanting to access a particular voice web page in Uppaluru must navigate through the voice web site by inputting voice commands or touch tone inputs to reach the intended voice web page. Therefore, there is no teaching in Uppaluru that the user is provided the address of each voice

web page, whereby the user can directly access the intended voice web page by typing an address or clicking on a hyperlink. For at least these reasons, the present invention is distinguishable over Uppaluru.

The independent Claim 1 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 1 includes the steps of establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and associating an independently accessible address with the recorded audio file, such that when the address is accessed using the computer system, the recorded audio file is transmitted to the computer system for playback. The method of Claim 1 further includes the limitation that the recorded audio file is separately accessible using the independently accessible address. As discussed above, Uppaluru does not teach that an audio communication is recorded, thereby establishing a recorded audio file, because the voice web pages disclosed in Uppaluru are documents instead of recorded audio files. In addition, even if Uppaluru taught that a recorded audio file is established from the audio communication, Uppaluru does not teach that the recorded audio file is separately accessible using an independently accessible address that is associated with the recorded audio file. For at least these reasons, the independent Claim 1 is allowable over the teachings of Uppaluru.

Claim 8 is dependent upon the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Uppaluru. Accordingly, the Claim 8 is also allowable as being dependent upon an allowable base claim.

The independent Claim 17 is directed to a method of recording an audio file for playback over a computer system. The method of Claim 17 includes the steps of establishing a telephony connection between a telephony device and a call recording device, recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and including the recorded audio file within a second file, such that when the second file is accessed using the computer system, the recorded audio file is available for playback at the

computer system. Within the Office Action, it is stated that element (c) of claim 17 reads on the embedding process taught in Uppaluru in which HVML voice web pages 103 can be embedded in generic multimedia web pages. However, Uppaluru teaches that the HVML **voice web pages** rather than recorded audio files can be embedded in generic multimedia web pages. Uppaluru does not teach that an audio communication is recorded, thereby establishing a recorded audio file, because, as discussed above, the voice web pages disclosed in Uppaluru are documents instead of recorded audio files. For at least these reasons, the independent Claim 17 is allowable over the teachings of Uppaluru.

Claim 20 is dependent upon the independent Claim 17. As discussed above, the independent Claim 17 is allowable over the teachings of Uppaluru. Accordingly, the Claim 20 is also allowable as being dependent upon an allowable base claim.

The independent Claim 22 is directed to a record and playback system for recording an audio file for later playback. The record and playback system of Claim 22 includes a means for establishing a telephony connection with a telephony device, means for recording coupled to the means for establishing a telephony connection for recording an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and means for storing coupled to the means for recording for storing the recorded audio file at an independently accessible address, such that when the address is accessed by a computer system, the recorded audio file is transmitted to the computer system for playback. The record and playback system of Claim 22 includes the further limitation that the recorded audio file is separately accessible using the independently accessible address. As discussed above, Uppaluru does not teach that an audio communication is recorded, thereby establishing a recorded audio file, because the voice web pages disclosed in Uppaluru are documents instead of recorded audio files. In addition, even if Uppaluru taught that a recorded audio file is established from the audio communication, Uppaluru does not teach that the recorded audio file is separately accessible using an independently accessible address that is associated with the recorded audio file. For at least these reasons, the independent Claim 22 is allowable over the teachings of Uppaluru.

The independent Claim 30 is directed to a record and playback system for recording an audio file for later playback. The system of Claim 30 includes an interface circuit configured to establish a telephony connection with a telephony device, a call recording system coupled to the interface circuit to record an audio communication transmitted over the telephony connection thereby establishing a recorded audio file and a storage system coupled to the call recording system to store the recorded audio file at an independently accessible address within the storage system, such that when the address is accessed by a computer system, the recorded audio file is transmitted to the computer system for playback. The record and playback system of Claim 30 includes the further limitation that the recorded audio file is separately accessible using the independently accessible address. As discussed above, Uppaluru does not teach that an audio communication is recorded, thereby establishing a recorded audio file, because the voice web pages disclosed in Uppaluru are documents instead of recorded audio files. In addition, even if Uppaluru taught that a recorded audio file is established from the audio communication, Uppaluru does not teach that the recorded audio file is separately accessible using an independently accessible address that is associated with the recorded audio file. For at least these reasons, the independent Claim 30 is allowable over the teachings of Uppaluru.

The independent Claim 37 is directed to a network of devices for recording and playback of an audio file. The network of Claim 37 includes a call processing and recording system coupled to a telephone network to establish a telephony connection with a telephony device and record an audio communication transmitted over the telephony connection thereby establishing a recorded audio file, a server coupled to the call processing and recording system to store the recorded audio file at an independently accessible address, wherein the recorded audio file is separately accessible using the independently accessible address and one or more computer systems coupled to the server such that when the address is accessed by one of the computer systems, the recorded audio file is transmitted to an accessing computer system for playback. As discussed above, Uppaluru does not teach that an audio communication is recorded, thereby establishing a recorded audio file, because the voice web pages disclosed in Uppaluru are

documents instead of recorded audio files. In addition, even if Uppaluru taught that a recorded audio file is established from the audio communication, Uppaluru does not teach that the recorded audio file is separately accessible using an independently accessible address that is associated with the recorded audio file. For at least these reasons, the independent Claim 37 is allowable over the teachings of Uppaluru.

Rejections Under 35 U.S.C. § 103

Within the Office Action, Claims 12 and 44-47 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Uppaluru as applied to Claims 1, 17, 22, 30 and 37. The Applicant respectfully traverses this rejection. As recognized within the Office Action, Uppaluru fails to specifically disclose sending a notification to a recording user responsible for recording the audio communication where the notification specifies an independently accessible address associated with the recorded audio file.

To successfully assert a rejection under 35 U.S.C. § 103(a), the reference must provide a hint, teaching, or suggestion to one having ordinary skill in the art to combine Uppaluru with general knowledge to reach the claimed invention. In Uppaluru, there is no hint, teaching or suggestion that a notification is sent to the recording user specifying the address associated with the recorded audio file. As stated above, Uppaluru does not teach that an independently accessible address is associated with a recorded audio file. Thus, there can be no hint, teaching, or suggestion that a notification is sent to the recording user specifying the address associated with the recorded audio file.
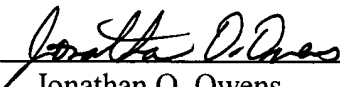
In the alternative, Claim 12 is dependent on the independent Claim 1; Claim 44 is dependent on the independent Claim 17; Claim 45 is dependent on the independent Claim 22; Claim 46 is dependent on the independent Claim 30 and Claim 47 is dependent on the independent Claim 37. As discussed above, the independent Claims 1, 17, 22, 30 and 37 are allowable over the teachings of Uppaluru. Accordingly, the Claims 12 and 44-47 are also allowable as being dependent upon an allowable base claim.

The Applicant has added new Independent claim 48 to the present application. The Applicant submits that Claim 48 is distinguishable over Bobo and Uppaluru for the reasons stated above. Therefore, Applicant submits that Claim 48 is in a condition for allowance.

For these reasons, Applicants respectfully submit that all of the claims are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at (650) 833-0160 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

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